



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY FORCES COMMAND
FORT MCPHERSON, GEORGIA 30330-6000

REPLY TO
ATTENTION OF

AFLG-PROM

27 November 1996

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Contracting Information Letter (CIL) 97-10, Termination
of Cable Television Franchise Agreements

Reference enclosed memorandum, SARD-PP, dated 4 Nov 96, SAB. This memorandum provides information on termination of cable television franchise agreements on Department of Defense installations that are identified for closure by the Base Realignment and Closure (BRAC) Commission. These franchise agreements must be treated as contracts under the Federal Acquisition Regulation (FAR). Contracting Offices must issue termination for convenience notices to affected cable contractors. For additional information, contact Carol Reger at DSN 367-5642.

Encl
as

BEVERLY Y. THOMAS
Acting Chief, Contracting Division, DCSLR
Acting Principal Assistant Responsible
for Contracting

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REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
RESEARCH DEVELOPMENT AND ACQUISITION
103 ARMY PENTAGON
WASHINGTON DC 20310-0103

04 NOV 1996

17/3 NOV 1996
for Team

SARD-PP

MEMORANDUM FOR COMMANDER, U.S. ARMY FORCES COMMAND,
ATTN: AFLG-PR, 200 HARDEE AVENUE,
FORT MCPHERSON, GA 30330-6000
COMMANDER, U.S. ARMY TRAINING AND
DOCTRINE COMMAND, ATTN: ATBO-A,
FORT MONROE, VA 23651-5000
COMMANDER, U.S. ARMY COMMUNICATIONS-
ELECTRONICS COMMAND, ATTN: AMSEL-
AC, FORT MONMOUTH, NJ 07703-5000

SUBJECT: Terminations of Cable Television Franchise
Agreements at Installations Completing
Closure or Realignment During Fiscal Year
1997

References:

a. National Defense Authorization Act for
Fiscal Year 1997, Public Law No. 104-201, § 833, 104
Stat. 2422 (1996) (copy enclosed).

b. In the Matter of the Department of
Defense Cable Television Franchise Agreements, United
States Court of Federal Claims Advisory Opinion, 36
Fed. Cl. 171 (1996).

Pursuant to reference a., the Army must treat
cable television franchise agreements at installations
identified for closure by the Base Realignment and
Closure Commission (BRAC installations) as contracts
under the Federal Acquisition Regulation (FAR), and
issue termination for convenience (T for C) notices to
affected cable operators.

At the present time, we have identified Fort
Devens, MA, Vint Hill Farms Station, VA, and Fort
Ord/Presidio of Monterey, CA as BRAC installations

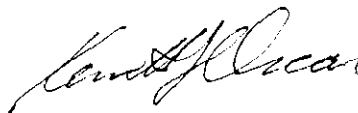


where contracting officers must issue complete or partial T for C notices to cable operators during FY 1997.

Please ensure that contracting officers issue timely T for C notices to the affected cable operators at the above BRAC installations during this fiscal year, and commence settlement negotiations pursuant to the part 49 of the FAR.

While reference a. states that cable television operators are entitled to recovery of their investments at BRAC installations to the extent authorized in part 49 of the FAR, the terms of termination settlements should be based both on the FAR and on any termination provisions in the cable television franchise agreements.

My points of contact for this action are Mr. Curtis Stevenson in my office, telephone number (703) 697-2630, and Mr. Doug DeMoss in the Office of the General Counsel, telephone number (703) 697-4349.



Kenneth J. Oscar
Deputy Assistant Secretary of the Army
(Procurement)

Enclosure

CF: Commander, U.S. Army Materiel Command, Attn:
AMCRDA, 5001 Eisenhower Avenue, Alexandria, VA 22333-
0001

